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MISCELLANY.

Chinese Ceremony of Beheading a Cock to Substantiate Testimony.—There is in the Chinese law courts a very old and interesting ceremony in which the witness or the party to the suit in order to add strength to his oath cuts off a cock's head in the presence of the court. In such great respect is this ancient ceremony held that it goes far in substantiating the genuineness of the evidence adduced. Two Chinese firms were parties to a suit before Justice Gompertz, of the British court. One was willing to confess judgment if the other would perform the ceremony of cutting off the cock's head to prove the genuineness of his case. The court at once consented, and the rite was duly performed and judgment entered accordingly. The case was that of Hung Tai firm, compradores, to recover from Ho Yik, Piu, alias Ho Shan, of Yaumati, the sum of \$500, share money deposited with the defendant for organizing an antimony ore business. It was tried September 24 last.

The ceremony itself is performed in a temple. The party who takes the oath first addresses the fowl before he slaughters it after this fashion, "Pardon me, I know you are innocent, but I have got to cut your head off." Then, amid intense silence, the stroke of the knife follows, the neck of the bird being completely severed in one clean chop.—Ex.

The Business Lawyer.—"The practice of law, so far as my experience is concerned," remarked a prominent lawyer, "involves nine points of common sense and business judgment and one point of law."

While this man's observation may not be applicable to the entire profession or to all branches of the practice, it is nevertheless pertinent and significant. It calls attention to the fact that too many lawyers overlook or neglect the practical side—the business aspect—in their quest for the theoretical.

In a man's days of preparation for the duties he is to assume at the bar he necessarily, if he means to be successful, lives in the books. He must know them and he must be well grounded in legal principles. Further than this, he must know where to find the law. This habit of study which he forms prior to his admission he often carries with him throughout life.

All this is commendable. But if the practitioner does not permit another element to enter into his conception of the lawyer's role, he is apt not to meet with great success. This essential element is the practical side.

How may the practical side be acquired or developed? It is doubtful whether any lawyer, irrespective of his erudition or his length of service, could point out any certain formula in answer to this question. However, this much may be conceded: The practitioner should,

first of all, have some knowledge of human nature. If he finds himself deficient in this line, then he should studiously endeavor to learn something of human nature. He should study men and affairs, analyze causes and effects and impart to himself, in some degree at least, insight into the activities, the hopes, the desires, the motives of mankind.

After he has done this, his value as a practitioner, from the practical side, will become more pronounced. It will be easier for him to pass judgment upon questions involving business sagacity or commercial expediency than was the case before. He will look at a business problem first as a business problem, and in the next place he will bring his knowledge of legal principles to bear in the solution of the problem.

It is a well-known fact that law-trained men are becoming more and more indispensable for the banks, the trust companies, the big corporations of various descriptions, and it is a well-known fact, also, that there is more and more of a demand, in the general practice, for the lawyer of business judgment. If the ambitious lawyer has not yet attained the success he had hoped for, it might be well for him to consider the trend of the times and note how he should equip himself.—The National Corporation Reporter.

Official Sinning.—"The acts of public officers, however free from fraud they may be, are too frequently called in question by the public.

'As it was in the beginning,
Is today official sinning,
and shall be forever more'

—seems to be a belief firmly grounded in the minds of at least a large part of our citizenship." *Dooley v. Board of Education of Cabin Creek Dist. (W. Va.)*, 93 S. E. 766, 768.

Pork and Beans Containing Pebbles.—In *Ward v. Great Atlantic & Pacific Tea Co. (Mass.)*, 120 N. E. 225, it is said: "No discussion is required to demonstrate that canned beans and pork are not fit for consumption if they contain a pebble of sufficient size to break a tooth. It is matter of common knowledge that pebbles often are found in raw and uncleaned beans. In domestic use, careful sorting is required to free them from such substance. It is or may be found lack of due care for one to prepare beans for eating with pebbles still among them."

Robbing an Accusation of Its Sting.—In *Koehler v. Dubose (Tex. Civ. App.)*, 200 S. W. 238, 242, the court said: "The charge against

a person of crime cannot be robbed of its sting by constantly reiterating that, 'He is an honorable man,' as was attempted by the Roman orator at Caesar's funeral."

Exception to the Rule that an Unchaste Female is a Rare Exception.—In *Dallas v. State*, 79 So. 690, the Supreme Court of Florida said: "What has been said by some courts about an unchaste female in our country being a comparatively rare exception is no doubt true where the population is composed largely of the Caucasian race, but we would blind ourselves to actual conditions if we adopted this rule where another race that is largely unmoral constitutes an appreciable part of the population."

A Famous Legal Epitaph.—Frederic Harrison's Autobiographic Memoirs contains the true history of the proposed epitaph on Lord Westbury, who carried through measures to establish the Divorce Court, to amend the Laws of Landed Estates and of Bankruptcy, and who acquitted the Essayists who were charged with denying eternal punishment: His activities were commemorated in the proposed epitaph which is given in the following letter from Mr. Harrison dated February 25th, 1864:

"The epitaph on the Chancellor in the newspapers amuses me, because for once I can trace a rumour home. It goes about in all shapes and under all names,—Palmerston, Lowe, Dickens, etc., etc. It was, in fact, said to me at luncheon by a friend (E. H. P.). We were talking about the judgment, and shooting off jests, and in its final form it was written down thus:

Beneath this Marble
in the calm assurance and serene composure
which distinguished him in life,
liès
The Rt. Honble. Richard, Baron Westbury,
L. High Chancellor of England,
who gave gentlemen in difficulties
facilities for relieving themselves of
their wives and their estates,
and enabled them to treat with indifference
The Court of Bankruptcy and the Day of Judgment.
He closed a long and successful life
By dismissing Hell with costs,
and he thus
deprived the religious world of its last hope of
Eternal Damnation."